

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	NO: WA:24-CR-00030(1)-ADA
	§	
(1) NICO JOSHUA EDDINGFIELD	§	

**ORDER ACCEPTING REPORT AND RECOMMENDATION**  
**OF THE UNITED STATES MAGISTRATE JUDGE**

Before the court is the above styled and numbered cause. On March 14, 2024 the United States Probation Office filed a Petition For Warrant or Summons For Offender Under Supervision for Defendant (1) NICO JOSHUA EDDINGFIELD, which alleged that Eddingfield violated a condition of his supervised release and recommended that Eddingfield 's supervised release be revoked (Clerk's Document No. 3). A warrant issued and Eddingfield was arrested. On March 20, 2024, Eddingfield appeared before a United States Magistrate Judge, was ordered detained, and a revocation of supervised release hearing was set..

Eddingfield appeared before the magistrate judge on March 28, 2024, waived his right to a preliminary hearing and to be present before the United States District Judge at the time of modification of sentence, and consented to allocution before the magistrate judge. Following the hearing, the magistrate judge signed his report and recommendation on March 28, 2024, which provides that having carefully considered all of the arguments and evidence presented by the Government and Defendant, based on the

original offense and the intervening conduct of Eddingfield, the magistrate judge recommends that this court revoke Eddingfield supervised release and that Eddingfield be sentenced to imprisonment for FIVE (5) months with ten days of credit for time served, with a term of FIVE (5) Years of supervised release to follow the term of imprisonment (Clerk's Document No. 10). The Defendant shall reside in a residential re-entry center for a term of up to 180 days upon available bedspace. The original conditions of release should be imposed.

A party may serve and file specific, written objections to the proposed findings and recommendations of a magistrate judge within fourteen days after being served with a copy of the report and recommendation, and thereby secure a *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en bane*). The parties in this cause were properly notified of the consequences of a failure to file objections.

On March 28, 2024, following the hearing on the motion to revoke supervised release, all parties signed a Waiver Of Fourteen Day Rule For Filing Objections To


Report and Recommendation Of United States Magistrate Judge (Clerk's Document No. 13). The court, having reviewed the entire record and finding no plain error, accepts and adopts the report and recommendation filed in this cause.

**IT IS THEREFORE ORDERED** that the Report and Recommendation of the United States Magistrate Judge filed in this cause (Clerk's Document No. 10 ) is hereby **ACCEPTED AND ADOPTED** by this court.

**IT IS FURTHER ORDERED** that Defendant (1) NICO JOSHUA EDDINGFIELD's term of supervised release is hereby **REVOKED**.

**IT IS FURTHER ORDERED** that Defendant (1) NICO JOSHUA EDDINGFIELD be imprisoned for FIVE (5) months with ten days of credit for time served with a term of supervised release of FIVE (5) years to follow the term of imprisonment. The Defendant shall reside in a residential re-entry center for a term of up to 180 days upon available bedspace. The original conditions of release should be imposed.

Signed this 16th day of April, 2024.

  
ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE